

PCUP-297
Exhibit A, Draft Conditions of Approval
Nrithyollasa Dance Academy
4430 Willow Road, Suite K, Hacienda Business Park
June 8, 2011

Project Specific Conditions of Approval

Planning

1. The use shall comply with all applicable requirements of the City's noise ordinance. Prior to operation, the applicant shall install QuietRock 525 (or approved alternative) on the northern and eastern walls of the subject suite. Should noise become a concern after commencement of the operation of the subject use, the applicant may have to install additional sound attenuating measures within the subject tenant space (e.g. install QuietRock 525 along the subject tenant's side of the shared wall with Suite M), modify operation of the business, or employ another alternative approved by the Director of Community Development.
2. All activities shall be conducted within the building and all exterior doors shall remain closed when not being used for ingress/egress purposes.
3. If additional hours of operation, number of students or employees, or activities beyond what is stated in the applicant's written narratives, dated "Received, April 22, 2011," "Received May 13, 2011," "Received May 19, 2011," and "Received June 2, 2011," on file in the Planning Division, are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
4. The applicant or responsible party shall pay any additional sewer capacity for the subject use as determined by the Director of Operations Services. This fee shall be paid prior to issuance of a building permit and/or prior to operation.
5. The applicant or responsible party shall pay any traffic impact fees for the subject use as determined by the City Traffic Engineer. This fee shall be paid prior to issuance of a building permit and/or prior to operation.
6. The applicant or responsible party shall provide details regarding the proposed ceiling insulation and QuietRock 525 prior to issuance of a building permit and/or operation. Details shall include insulation type, material, thickness, and/or additional information required as determined by the Building Official.

7. Students 12 years and younger shall be escorted into and out of the facility and signed in and out by a parent or supervising adult.
8. All students that arrive before class begins or are waiting to be picked up shall remain inside the subject suite.
9. The applicant shall inform all students not to loiter or make loud noises outside the suite and building before or after classes.
10. The applicant shall inform all patrons that the facility is located in an industrial district and may be subject to noise, odors, etc.

Building

11. The applicant or responsible party shall post a sign in the interior of the subject tenant space stating, "Maximum Occupancy 49 Persons." At no time shall more than 49 people occupy the subject tenant space.

Standard Conditions of Approval

Community Development Department

12. The applicant shall pay any and all fees to which the use may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.

Planning

13. The proposed use shall be in substantial conformance to Exhibit B, dated "Received, April 22, 2011," "Received May 13, 2011," "Received May 19, 2011," and "Received June 2, 2011," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development.
14. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

15. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing.
16. This conditional use permit approval will lapse 1 year from the effective date of approval unless the applicant receives a business license.
17. Nrithyollasa Dance Academy shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
18. This approval does not include approval of any signage for Nrithyollasa Dance Academy. If signs are desired, Nrithyollasa Dance Academy shall submit a sign proposal to the City for review and approval prior to sign installation.
19. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
20. If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.

Code Requirements

Building

(Applicants/Developers are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

21. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
22. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
23. Prior to issuance of a business license, the applicant shall contact the Building Division and the Fire Marshall to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.



March 31, 2011

Ms. Janice Stern
Planning Manager
City of Pleasanton
200 Bernal Avenue
Pleasanton, CA 94566

Re: Conditional Use Permit
Nrithyollasa Dance Academy
Site 31D, Pleasanton One

Dear Janice:

This letter is being provided in accordance with the Declaration of Covenants, Conditions and Restrictions for Hacienda, Article III, Section 3.2, Paragraph 3.2.3, Plan Changes and Plans for Changes to Improvements. The Design Review Committee for the Hacienda Owners Association has reviewed the application for a conditional use permit. This application was submitted by AHM-4430 Willow Investors, LLC, on behalf of The Antrim Group, LTD/AHM-4430 Willow Investors LLC, Site 31D, dated March 29, 2011. This modification is in substantial compliance with the guidelines set forth in the Design Guidelines and Covenants, Conditions and Restrictions.

The proposed conditional use permit will allow Nrithyollasa Dance Academy to operate an Indian Dance School at 4430 Willow Road, Suite K. The school will offer dance classes primarily from 4:00 pm to 8:00 pm on Monday, Wednesday and Thursday and from 12:30 pm to 5:30 pm on Sunday. Additional classes will be offered on an as needed basis and on Tuesday, Friday and Saturday at times that will take into account the schedule of nearby tenants. In consideration of the conditional use permit, the applicant has reviewed site parameters of concern including: parking, traffic and noise. Based on a comprehensive review of space allocation and business practice, the applicant has demonstrated that their noise, parking and traffic impacts will be compatible with currently approved uses. The description of the use proposal for this modification is attached.

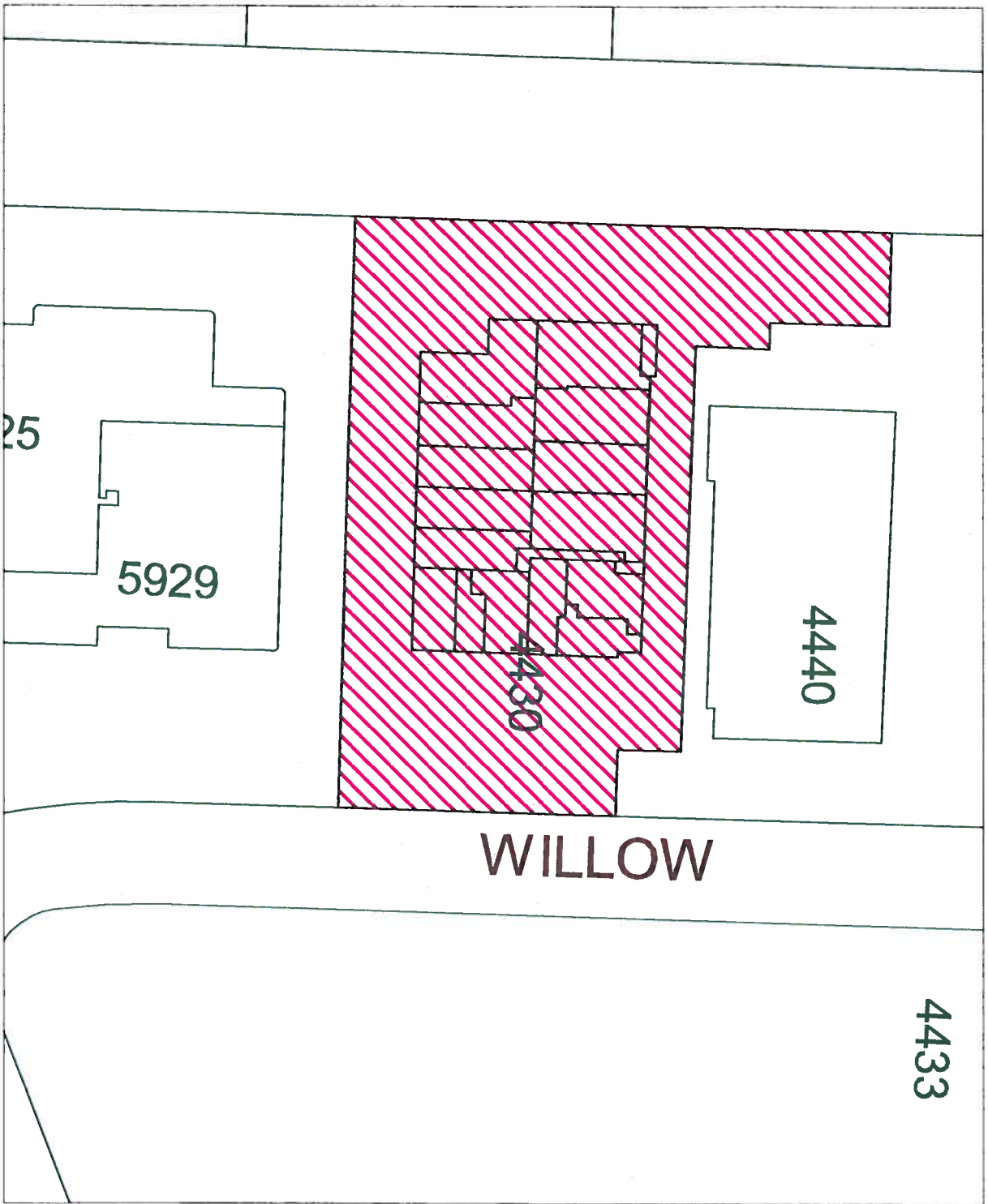
This application is hereby approved by the Hacienda Owners Association and may be processed for necessary approvals by the City of Pleasanton. Please feel free to contact me at the Association's office if I can be of any assistance in this matter.

Sincerely,

James Paxson
General Manager, HBPOA

cc: Brad Hirst
Jay Ganesh

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WILLOW

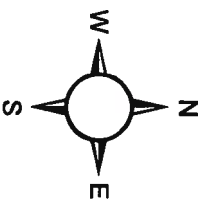
PCUP-297

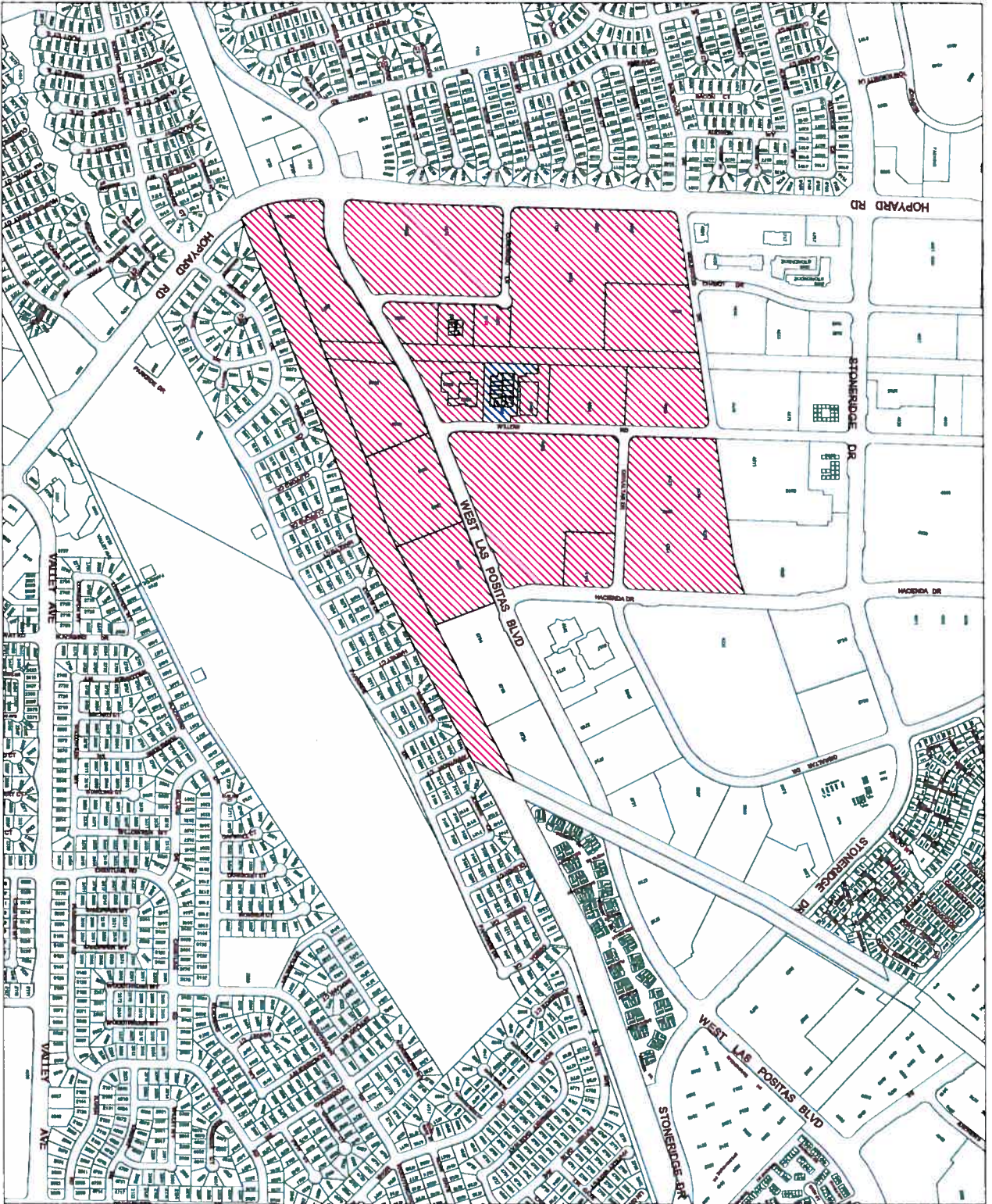
City of Pleasanton

GIS

Department

4430 Willow Road





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4430 WILLOW RD

